

ORDINANCE NO O21-03

AN ORDINANCE AMENDING CERTAIN CHAPTERS OF TITLE 15 OF THE LAUREL MUNICIPAL CODE RELATING TO THE CITY'S MISCELLANEOUS REQUIREMENTS FOR HOMES, BUILDINGS AND CONSTRUCTION.

WHEREAS, the City Council desires to keep the Laurel Municipal Code current by modifying and updating chapters, sections and subsections to address situations and problems within the City and to remain in accordance with Montana law; and

WHEREAS, the City's Public Works Department Staff worked with changes in the Montana law and prepared amendments to the Laurel Municipal Code to remain consistent and in accordance with the laws, rules, and regulations adopted by the State of Montana.

WHEREAS, City Staff prepared, reviewed, and approved the following amendments to the existing Title 15 as noted herein and hereby recommends the same to the City Council for their full approval.

Title 15 - MISCELLANEOUS CITY REQUIREMENTS FOR HOMES, BUILDINGS AND CONSTRUCTION¹

Chapters:

Footnotes:

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* Prior history: Prior code §§ 15.04.010, 15.04.020, 15.06.010, 15.06.020, 15.14.010, 15.16.010, 15.16.020, 15.29.020, 15.33.010, 15.37.020, 15.44.010, 15.44.020, 15.48.010—15.48.030, 15.52.010, 15.52.020, 15.56.010, 15.56.020, 15.72.010—15.72.040 and 15.76.010 as amended by Ords. 853, 854, 856, 857, 859, 860, 863, 865, 866, 868, 869, 871, 872, 874, 877, 910, 932, 943, 944, 961—965, 1063, 94-1—94-3, 96-8—96-12, 97-2, 99-5—99-21, 00-1, 00-5, 02-32, 03-3 and 04-4.

~~Chapter 15.10—DISPLAY OF ADDRESS NUMBERS~~

~~Sections:~~

~~15.10.010—Display of address numbers required.~~

~~All houses, buildings or structures used or intended for use as a living quarters or as a place for the conduct of business in the city or the city's building permit jurisdictional area shall have a designated address number conspicuously displayed above or near a door or entrance that faces a public or private street.~~

~~(Ord. 05-15 (part), 2005)~~

~~15.10.020—Authority of director of the public works department to designate.~~

~~The director of the public works department, or his designee, shall designate the proper address numbers for all houses, buildings or structures required to be numbered by Section 15.10.010 of this~~

~~chapter. The director of the public works department, or his designee, shall have the power to change such numbers when, in his judgment, such change is necessary to avoid or eliminate confusion with other numbers.~~

~~(Ord. 05 15 (part), 2005)~~

~~15.10.030 Record to be kept.~~

~~The director of the public works department, or his designee, shall keep a record of all proper address numbers and shall furnish such numbers to any person requesting the same.~~

~~(Ord. 05 15 (part), 2005)~~

~~15.10.040 Applicable to new construction.~~

~~Any person erecting or remodeling any house, building or structure required to be numbered by Section 15.10.010 of this chapter shall ascertain from the director of the public works department, or his designee, the proper address number for such house, building or structure and shall display the number as provided by this chapter.~~

~~(Ord. 05 15 (part), 2005)~~

~~15.10.050 Specifications.~~

~~All address numbers shall be displayed with Arabic numerals, which shall be a minimum of three and one-half inches and a maximum of eighteen inches in height having a minimum stem width of one-half inch and shall be of a contrasting color with the building. No address number shall be obscured from view by vegetation, screening or other means.~~

~~(Ord. 05 15 (part), 2005)~~

~~15.10.060 Alternative display required when.~~

~~A different method of address display may be required by the director of the public works department for a house, building or structure which is located further from a street than the normal front yard setback.~~

~~(Ord. 05 15 (part), 2005)~~

~~15.10.070 Compliance required.~~

~~Any person owning, leasing, occupying or maintaining any house, building or structure which has no number displayed thereon, which displays an incorrect number, or violates this chapter in any way, when so informed and notified by the director of the public works department shall put up a number so that the proper number will be displayed, or shall take any necessary action to comply with this chapter, within the time specified in the notice.~~

~~(Ord. 05 15 (part), 2005)~~

~~15.10.080 Violation—Penalty.~~

~~Any person who violates any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof is punishable by a fine not exceeding twenty five dollars. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person, and may be punished accordingly.~~

~~(Ord. 05-15 (part), 2005)~~

Chapter ~~15.20~~15.10 - FENCE PERMITS

Sections:

~~15.20.01~~15.10.010 - Permit required—Application and investigation—Fees.

- A. No person shall erect, construct, enlarge or replace any fence until a fence permit for such work has been issued by the building department. No such permit shall be valid unless the proposed work is in compliance with all other applicable provisions of this code.
- B. Whenever any work for which a fence permit is required hereunder has been commenced without first obtaining the permit, then the building inspector may conduct a special investigation before a permit may be issued for such work.
- C. Whenever special investigation is required hereunder, both an investigation fee and the application permit fee shall be paid as established by annual city council resolution, ~~after a public hearing.~~

(Ord. 07-06 (part), 2007; Ord. 05-15 (part), 2005)

~~15.20.02~~15.10.020 - Enforcement—Violation—Penalty.

- A. This chapter shall be enforced by the building inspector or his ~~assistant~~designee.
- B. If on inspection, the condition or placement of a fence is found not to comply with the requirements of this code, the building inspector shall issue written notice to the owner, specifying the nonconformity and require the owner to correct the same, as directed by the building inspector.
- C. Any person violating a provision of this chapter may, upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

(Ord. 05-15 (part), 2005)

Chapter 15.20 Dangerous Structures

Sections:

15.20.010 Purpose and Intent.

An unsafe structure is one that is found to be a threat to the health, safety, and welfare of the public and/or adjoining properties. It is the purpose of this chapter to provide a method in which to deem a structure as unsafe, unlawful, or unfit for human occupancy and allow for the property to be vacated, repaired, or demolished.

15.20.020 Dangerous Structure.

For the purpose of this chapter, the City of Laurel adopts by reference, Section 108.1.5 of the International Property Maintenance Code, to define the conditions or defects that would deem a structure as dangerous. A copy of which will be available in the offices of the city.

15.20.030 Enforcement.

When the building official or his designee has inspected any structure and has determined that such structure is a dangerous structure, the building official or his designee shall commence proceedings to cause the repair, vacation, or demolition of the building.

Notice shall be sent to the owner of record of the structure stating the street address and legal description sufficient for identification of the premises that the structure is upon, the conditions found deeming the structure dangerous and action recommended to address the defects or conditions found by the building official or his designee. The notice shall also contain a reasonable time for all permits, vacation or work must commence after notice is given. The notice shall also include right to appeal decision of building official or his designee within 30 days from date of service of such notice.

Notice shall be delivered in person or through certified mail to the owner(s) or the owner's agent. Proof of service of the notice shall be by a written declaration under penalty of perjury executed by the persons effecting the notice declaring time, date, and the manner in which the service was made. The declaration, together with the receipt card returned in acknowledgment or receipt by certified mail shall be attached to a copy of the notice and retained by the building official.

15.20.040 Placarding.

Upon failure of owner or owner's agent to comply with notice in time given, the building official or his designee shall post on the structure a placard deeming the structure as unsafe to enter or occupy.

15.20.050 Violations.

When an unsafe building has not been voluntarily abated within the time specified in the notice or by mutually agreed upon timeframe of owner and building official, it is a violation of this chapter and upon conviction thereof, be punished as set forth in Section 1.36.010 of this code.

Chapter 15.30 — ABATEMENT OF DANGEROUS BUILDINGS

Sections:

15.30.010 — Adoption.

~~The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials, together with any appendix or subsequent amendments or additions thereto, adopted or as may be adopted in the future by the city of Laurel, is adopted by and declared to be the abatement of dangerous building code of the city.~~

~~One full printed copy of the code shall be available in the offices of the city. The aforesaid uniform abatement of dangerous building code is adopted by reference and made a part of this chapter as fully,~~

~~and for all intents and purposes, as though set forth herein at length. It shall be known and designated as the "Abatement of Dangerous Buildings Code" of the city.~~

~~(Ord. 05-15 (part), 2005)~~

~~15.30.020 Updated references.~~

~~The Abatement of Dangerous Buildings Code described in Section 15.30.010 of this chapter may be amended by resolution or administrative order of the mayor.~~

~~(Ord. 05-15 (part), 2005)~~

~~Chapter 15.50 FIRE CODE⁽³⁾~~

Sections:

Footnotes:

~~(3)~~

~~**Editor's note**—Ord. No. 008-07, adopted July 15, 2008, amended Chapter 15.50 in its entirety and enacted similar provisions as set out herein. The former Chapter 15.50 derived from Ord. 05-15 (part), adopted in 2005.~~

~~15.50.010 Adoption.~~

~~The International Fire Code, 2012 edition as published by the International Code Council, is adopted by reference as the Fire Code of the City of Laurel. It regulates and governs the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life and property in the occupancy of buildings and premises as herein provided; provides for the issuance of permits and collection of fees therefor; and each and all regulations, provisions, penalties, conditions, and terms of said fire code on file in the office of the Laurel City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out, with the additions, insertions, deletion and changes, if any, set by ordinance.~~

~~(Ord. No. 008-07, 7-15-08; Admin. Order AO 15-01 § 5, 2-24-2015)~~

~~15.50.020 Updated references.~~

~~The International Fire Code, 2012 edition, as published by the International Code Council as referenced in section 15.50.010 of this chapter, may be amended by resolution or administrative order of the mayor.~~

~~(Ord. No. 008-07, 7-15-08; Admin. Order AO 15-01, § 5, 2-24-2015)~~

~~15.50.030 Modifications to International Fire Code, 2006 edition.~~

~~The City of Laurel hereby adopts the following revisions to the International Fire Code manual as follows:~~

~~Section 101.1. Insert [City of Laurel, Montana]~~

Section 109.3. shall read:

~~Violations penalties. Persons who shall violate a provision of the code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor, punishable by a fine of not more than \$500.00 or by imprisonment not exceeding 6 months, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

Section 111.4 Insert: [not less than \$100.00 or more than \$500.00]

Section 906.1. Delete Exception to Section 906.1, #1.

Section 906.1 shall read:

~~906.1. Where required. Portable fire extinguishers shall be installed in the following locations.~~

- ~~1. In new and existing Group A, B, E, F, H, I, M, R 1, R 2, R 4, and S occupancies.~~
- ~~2. Within 30 feet (9144 mm) of commercial cooking equipment.~~
- ~~3. In areas where flammable or combustible liquids are stored, used or dispensed.~~
- ~~4. On each floor of structures under construction, except Group R 3 occupancies, in accordance with Section 1415.1.~~
- ~~5. When required by the sections indicated in Table 906.1.~~

~~Section 907.15.1. When required by the Fire Code Official, non-required fire alarm systems shall be monitored by an approved supervising station in accordance with NFPA 72.~~

~~The City of Laurel hereby establishes the following geographic limits are referred to in the 2006 International Fire Code as follows:~~

~~Section 3204.3.1.1. Location. Stationary containers shall be located in accordance with section 3206.6. Containers of cryogenic fluids shall not be located within diked areas containing other hazardous materials.~~

~~Section 3404.2.9.5.1. Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by the City of Laurel.~~

~~Section 3406.2.4.4. Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside buildings is prohibited within the limits established by the City of Laurel.~~

~~Section 3804.2. Locations where the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas. Storage of liquefied petroleum gas in above-ground tanks outside buildings is prohibited within the limits established by the City of Laurel.~~

~~(Ord. No. 008-07, 7-15-08)~~

~~**Editor's note** Administrative Order, AO15-01, § 5 adopted the 2012 edition of the International Fire Code. The provisions set out in § 15.50.030 above refer to the 2006 edition of the International Fire Code.~~

Chapter ~~15.60~~15.30 - TRAILER COURTS

Sections:

~~15.60.010~~ Adoption of regulations. 15.30.010 State Regulation Adopted

- A. ~~The City of Laurel hereby adopts by reference the Montana Department of Public Health and Human Services, Rule For Trailer Courts and Tourist Campgrounds, Administrative Rules of Montana, 37.111.2 and Montana Code Annotated 50-52 as the code of the city containing the standards, regulating construction, maintenance, and operation of trailer courts and tourist campgrounds. All of the regulations, provisions, conditions and terms of such code are made a part of this article as if fully set out herein. Regulation No. 54.500, amended November 11, 1971 by the Montana State Department of Health and Environmental Sciences, and subsequent amendments and additions for trailer courts, is adopted by reference and made a part of this chapter as fully, and for all intents and purposes, as though set forth herein at length.~~
- B. One full printed copy of the regulation is available in the offices of the city clerk.

(Ord. 05-15 (part), 2005)

~~15.60.02~~15.30.020 - Updated regulations.

The ~~Regulation No. 54.500 described~~reference described in Section ~~15.60.01~~15.30.010 of this chapter may be amended by resolution or administrative order of the mayor.

(Ord. 05-15 (part), 2005)

~~15.60.03~~15.30.030 - Living in trailer house outside trailer court prohibited.

No person shall live in or occupy any trailer house, whether it is movable or not within the city limits, unless it is parked in a licensed trailer court.

(Ord. 05-15 (part), 2005)

Chapter ~~15.70~~15.40 - FLOODPLAIN REGULATIONS

Sections:

~~15.70.01~~15.40.010 - Floodplain regulations—Purpose.

- A. The ordinance codified in this chapter is passed in order to comply with the Montana Floodplain and Floodway Management Act (Montana Code Annotated, Title 76, Chapter 5) and to ~~insure~~ensure compliance with the requirements for the continued participation by the city in the National Flood Insurance Program. Land use regulations, which are hereby adopted, are to be applied to all identified ~~one hundred year~~one-hundred-year floodplains within the city's jurisdiction and are attached as Exhibit A and fully incorporated as part of this chapter by this reference.
- B. This chapter and Exhibit A, Floodplain Hazard Management Regulations dated August 2018, are adopted under the authority of Montana Code Annotated, Title 76, Chapter 5, Part 3.
- C. This chapter adopts the set of comprehensive land use regulations attached to the ordinance codified in this section as Exhibit A for identified one hundred-year floodplains within the city. The regulations are based upon the authorities specifically provided in Exhibit A.

(Ord. 05-15 (part), 2005)

(Ord. No. O13-02, 10-1-2013; Ord. No. O18-01, 8-21-2018)

Editor's note— Exh. A to Ord. No. O18-01, adopted Aug. 21, 2018, is not set out herein but is available in the city clerk's office and public works department at City Hall.

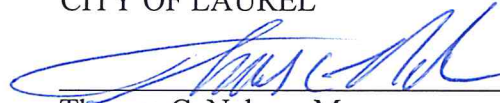
This Ordinance shall become effective thirty (30) days after final passage by the City Council and approved by the Mayor.

Introduced and passed on first reading at a regular meeting of the City Council on April 27, 2021, by Council Member Klose.

PASSED and ADOPTED by the Laurel City Council on second reading this 11th day of May 2021, upon motion of Council Member Eaton.

APPROVED BY THE MAYOR this 11th day of May 2021.

CITY OF LAUREL



Thomas C. Nelson, Mayor

ATTEST:



Bethany Langve, Clerk-Treasurer

APPROVED AS TO FORM:



Sam Painter, Civil City Attorney